

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

2:14-cv-00474-JAD-MDC

Plaintiff,

**ORDER REQUIRING DEFENDANT TO
APPEAR AND SHOW CAUSE WHY HE
SHOULD NOT BE HELD IN CONTEMPT
OR SANCTIONED FOR FAILING TO
COMPLY WITH THE COURT'S ORDER**

v.

BILL SUNGA MODINA d/b/a 5M Financial and
6M Financial,

Date: June 3, 2024
Time: 1:00 PM

Defendant.

Pending before the Court is the United States' *Motion* ("Motion")(ECF No. 43) for an order to show cause why defendant Bill Sunga Modina should not be held in civil contempt for violating the Court's February 23, 2024, Order ("Order")(ECF No. 40)

The Court's Order granted the United States's discovery motion (ECF No. 38), and compelled defendant to respond to the United States' First Set of Post-Judgment Interrogatories and First Set of Post-judgment Request for Production. *See* ECF Nos. 38 and 40. The Court's Order required defendant to respond to the United States' discovery by March 15, 2024. *See* ECF No. 40. The United States has shown that defendant was served with a copy of the Court's Order on March 3, 2024, at 4467 Romona Falls Ave., Las Vegas, Nevada 89141 (ECF No. 43-2).

In its Motion, the United States reports that defendant did not comply with the Court's Order and has not responded to its discovery as compelled by the Order. *See* ECF No. 43. Defendant did not

1 respond to the United States' Motion. Per LR 7-2(d), "[t]he failure of an opposing party to file points
2 and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for
3 attorney's fees, constitutes a consent to the granting of the motion. *Id.*

4 Therefore, **IT IS ORDERED:**

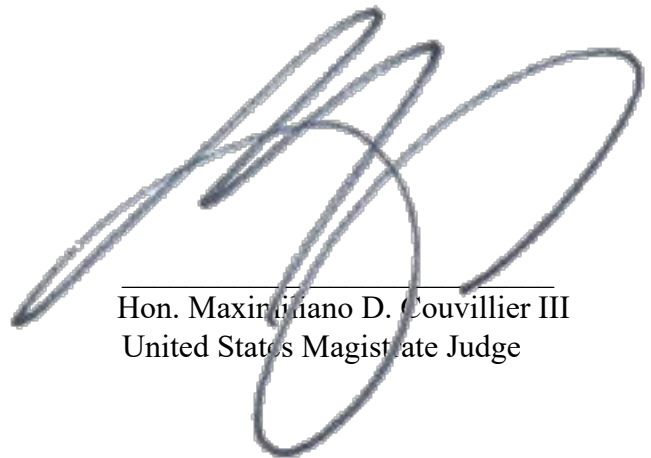
5 1). The United States' Motion (ECF No. 43) is **GRANTED**;

6 2). Defendant Bill Sunga Modina shall appear on June 3, 2024, 2024 at 1:00pm and **SHOW**
7 **CAUSE** why he should not be held in contempt or sanctioned for violating the Court's Order (ECF No.
8 40) by not responding to the United States' First Set of Post-Judgment Interrogatories and First Set of
9 Post-judgment Request for Production;

10 3). The United States shall serve defendant a copy of this Order in accordance with Fed. R.
11 Civ. P. 4(e)(2); and

12 4). The Court Clerk is directed to mail the defendant a copy of this Order to both of the
13 following addresses: (1) 7835 S. Rainbow #4-200, Las Vegas, NV 89139; and (2) 4467 Romona Falls
14 Ave., Las Vegas, Nevada 89141.

15 Dated: May 1, 2024.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge